

THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.17396 of 2006

28.09.2006

Between

Ramanaiah Pedipineni

...Petitioner

And

The Government of Andhra Pradesh, rep. by its Secretary,
Panchayat Raj Department, Secretariat Buildings,
Hydeabad and others.

...Respondents

THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.17396 of 2006

ORDER:

The writ petition is filed for a writ of Mandamus declaring the action of the fourth respondent in issuing false caste certificate to the fifth respondent certifying him as B.C. Thammali and thereby enabling the fifth respondent to contest for the elections to the office of the Sarpanch of Krishnapatnam Grampanchayat, Mutukur Mandal, Nellore District, and further action of the respondents 2 and 3 in not taking any action against the fourth respondent in spite of complaint made by the petitioner as highly illegal, arbitrary and violative of Article 14 of the Constitution of India and consequently direct the respondents 2 and 3 to conduct enquiry and take appropriate action against the respondents 4 and 5 by

declaring that the fifth respondent is not entitled to function as Sarpanch of Krishnapatnam Grampanchayat, Mutukur Mandal, Nellore District, in view of the fraud played by him in obtaining false caste certificate and pass such other orders.

Several factual details are narrated in the affidavit filed in support of the writ petition. Counter affidavits are filed by respondents 1 to 4 and also by respondent No.5. This is a matter concerned with issuance of alleged false caste certificate. It is stated by the writ petitioner that questioning the election, already Election Petition No.8 of 2006 was filed on the file of the Court of the Principal Junior Civil Judge, Nellore.

Without going into several factual controversies raised in the affidavit filed in support of the writ petition and also respective counter affidavits, liberty is given to the parties to agitate all these questions in Election Petition No.8 of 2006 on the file of the Court of the Principal Junior Civil Judge, Nellore. Further liberty is given to the petitioner to pursue other legal remedies available to him in this regard under the relevant statutes. Inasmuch as the election petitions are to be disposed of at an early date, the learned Principal Junior Civil Judge, Nellore to make an endeavour to dispose of Election Petition No.8 of 2006 at an early date, preferably within a period of six months from the date of this order.

The writ petition is accordingly disposed of. No
order as to costs.

28.09.2006

Note: Issue CC by tomorrow
(b/o)
VGB